

REMARKS

Entry of this Amendment and reconsideration of the above-identified application in view of the following is respectfully requested

Claims 1-14 are pending and stand rejected.

Claims 1 and 14 are independent claims.

Claims 1, 2, 3, 6 and 14 have been amended.

Claims 1, 2, 6, 7, 8, 9 and 10-14 stand rejected under 35 USC 103(a) as being unpatentable over Friend (USP no. 6, 429, 601) in view of Aoki (USPPA 2002/0003520). Claims 3, 4 and 5 stand rejected under 35 USC 103(a) as being unpatentable over Friend and Aoki in view of Yamazaki (USP no. 6, 326, 941).

In response to the Examiner's remarks made in the Advisory Action, regarding a single first sub-frame and a single second sub-frame and the voltage in the first sub-frame being reduced but not being recited in the claims, applicant submits amended claims 1 and 14, which explicitly recite a single first sub-frame and also the current in the first sub-frame "being reduced in value based on a known ratio with respect to said second non-zero current." No new matter has been added. Support for the amendment may be found at least in Figure 5, which illustrates a single first sub-frame and a single second sub-frame within a frame and the current (voltage) in the first sub-frame being reduced from a voltage that would have been used absent the second non-zero current.

Friend discloses a system including multiple sub-frames (assuming each pulse is a frame consisting of an first sub-frame with an "on" current and a second sub-frame with an "off" current) to obtain an overall brightness according to the data signal (see Figure 8). In addition, Friend fails to disclose that the second sub-frame includes a non-zero current. In addition, Friend fails to disclose that the voltage in the first sub-frame is reduced in value based on a known ratio with respect to the second non-zero sub-frame.

Aoki discloses a non-zero current in a second sub-frame that is used to increase the overall brightness as the second non-zero current is a proportion of the first current and the first current produces a brightness level according to the data signal.

Neither Friend nor Aoki provide any teaching regarding reducing the voltage in the first sub-frame such that "said first and second non-zero current over their respective sub-periods substantially yielding said overall brightness level in accordance with said data signal.

Applicant submits that for the amendments made to the claims and the remarks made herein, in conjunction with applicant's remarks made in response to the prior Office Action, which are repeated as if in full, herein, the combination of Friend and Aoki fails to render unpatentable the subject matter recited in the independent claims.

With regard to the remaining claims, these claims depend from independent claim 1 and, hence, recite subject matter not disclosed by the combination of the cited references.

With regard to the rejection of claims 3, 4 and 5 under 35 USC 103(a) as being unpatentable over Friend and Aoki and further in view of Yamazaki, Applicant submits that these claims depend from claim 1 and are also not rendered unpatentable over the cited references by virtue of their dependency upon an allowable base claim.

For the remarks made herein, applicant submits that the rejection of the claims has been overcome and respectfully requests that the rejection be withdrawn and a Notice of Allowance be issued.

Applicant wishes to thank the Examiner for his time in conducting an interview with applicant's representative and providing further clarification of the remarks made in the Advisory Action and in the rejecting the claims.

Applicant denies any statement, position or averment stated in the Office Action that is not specifically addressed by the foregoing. Any rejection and/or points of argument not addressed are moot in view of the presented arguments and no arguments are waived and none of the statements and/or assertions made in the Office Action is conceded.

Applicant makes no statement regarding the patentability of the subject matter recited in the claims prior to this Amendment and has amended the claims solely to facilitate expeditious prosecution of this patent application. Applicant respectfully reserves the right to pursue claims, including the subject matter encompassed by the originally filed claims, as presented prior to this Amendment, and any additional claims in one or more continuing applications during the pendency of the instant application.

In order to advance the prosecution of the matter, applicant respectfully requests that any errors in form that do not alter the substantive nature of the arguments presented herein be transmitted telephonically to the applicant's representative so that such errors may be quickly resolved, or pursuant to MPEP 714.03 be entered into the record to avoid delay of the prosecution of this matter.

However, if the Examiner believes that such minor errors in form cannot be entered into the record or that the disposition of any issues arising from this response may be best resolved by a telephone call, then the Examiner is invited to contact applicant's representative at the telephone number listed below to resolve such minor errors or issues.

No fees are believed necessary for the filing of this paper.

Respectfully submitted,
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